

# CHURCH AND STATE

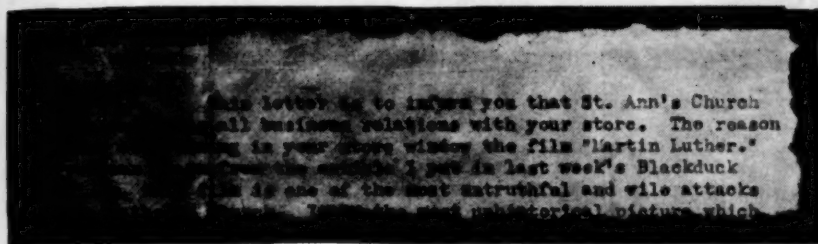
## A MONTHLY REVIEW



VOL. 7, NO. 4

APRIL 1954

### Stores Displaying 'Martin Luther' Posters Threatened With Boycott



"This letter is to inform you that St. Ann's Church is discontinuing all business relations with your store." So began a letter of last December 10 from the Rev. L. E. Weber of Blackduck, Minn., to Leonard Kolden, a businessman of the same town (see portion of letter reproduced here). Kolden had incurred Father Weber's wrath by allowing an advertisement for the film, *Martin Luther*, to be placed on his premises. Father Weber's letter, quoted in full in the March 9 issue of *Lutheran Herald*, continued as follows:

"... The reason is your advertizing in your store window the film 'Martin Luther.' As you can learn from the article I put in last week's Blackduck American, this film is one of the most untruthful and vile attacks on the Catholic Church. . . .

"We Catholics have absolutely no objection to the filming of the life of your religious founder—and to your advertizing it in all your stores—provided the picture is historically accurate. However, this picture seems to have as its main purpose, not to portray the life of Luther (it actually shows very little of his life) and his doctrine—to which we Catholics would have no objections—but to belittle and vilify the Catholic Church by presenting scenes and statements which are contrary to historical fact.

"In all my business and social relations, I pay no attention to a person's religious beliefs. I believe that every person has the God-given right and duty to worship God according to the dictates of his conscience. But when a concern in public business encourages an attack on the religious beliefs and practices of its custom-

ers, then I draw the line.

"I shall read this letter to my congregations next Sunday."

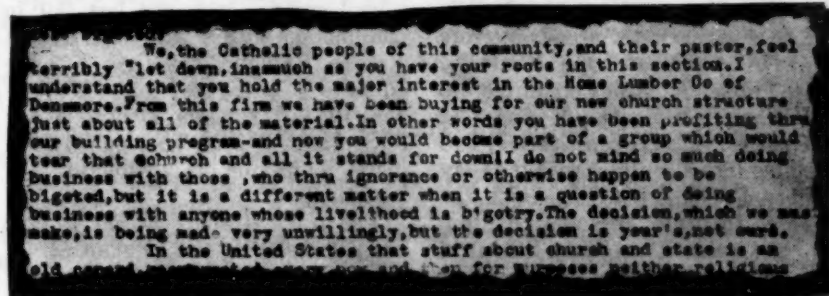
Father Weber's congregations were not too responsive, however. "We have been reliably informed," reports *Lutheran Herald*, "that some of the Catholic people came to apologize for their priest, and most of them have traded as before."

Unfortunately, apologies are needed for hundreds of Father Weber's colleagues who threaten boycotts as readily as he does, and with the blessing of their Church. Roman Catholic doctrine holds that "error" (e.g., Luther's preachings) does not have the same rights as Roman Catholic "truth," and that non-Catholic "error" must therefore be suppressed.

The executive director of POAU has had personal experience with the

Roman Catholic boycott technique, for he was himself made a target of it in 1948 immediately after he had embraced the "error" of POAU's position. The passage reproduced below is from a heretofore unpublicized letter of August 4, 1948, sent to Archer by the pastor of St. John's Roman Catholic Church, Logan, Kansas. In this case, too, some of the priest's parishioners came to the intended victim of the boycott and apologized for their "spiritual adviser's" action. Nevertheless, the campaign of economic reprisal against Archer has been waged incessantly over a period of years with accumulating effect, so that he has been forced to relinquish his Kansas business interests.

It should be remembered that the Roman Church also calls upon public officials to throw the weight of their secular power into the war against doctrinal "error." A notorious example of this was the action of New York City License Commissioner Edward T. McCaffrey to halt exhibition of the allegedly "blasphemous" Italian motion picture, "The Miracle." After a judge ruled that McCaffrey had no power of censorship, the State Board of Regents banned the film on the ground of "sacrilege," but the United States Supreme Court ultimately ruled that the concept of "sacrilege" cannot properly be defined by secular authorities, nor can state power properly be used to suppress heresy. In Quebec, Canada, on the other hand, the Film Censorship Board recently banned *Martin Luther* in the interest of public "peace."



## AS SOME WOULD LIKE IT



### Dulles Denies Rumor Of New Vatican Tie

No plans "to alter the present situation" regarding U. S. relations with the Vatican have been made by the Eisenhower Administration, Secretary of State John Foster Dulles declared at a recent press conference. Rumors that a renewal of diplomatic ties was planned had been flying ever since testimony of Under-Secretary Walter Bedell Smith favoring such a move had been revealed in February. POAU and other organizations immediately protested Smith's view, but columnist Drew Pearson predicted flatly in a March 7 radio broadcast that President Eisenhower would "take up where Truman left off, and propose sending a special ambassador to the Vatican."

Dulles' denial was in reply to the following question: "Mr. Secretary, will you give us the Administration's position on relations with the Vatican? Are there any plans for setting up either direct or personal relations with the Holy See? Do you see values in such an association?"

### Protestant School Urged To End Kentucky Tie-Up

Officials of Oneida Institute and of the Clay County, Kentucky, public school system were urged recently by POAU's affiliate, the Kentucky Free Public Schools Committee, to sever their relationship. Noting that Oneida, a Protestant institution, had "entered into a contract with the Clay County Public Schools in which the Oneida Institute provides housing for the Oneida Elementary School in

exchange for transportation of Oneida Institute pupils on a permanent basis," the POAU unit adopted a resolution which called for the following action:

"1. That plans be made immediately by the Clay County Public School System to provide housing for the Oneida Elementary [Public] School separate from that of any religious institution.

"2. That the Oneida Institute make arrangements for the transportation of its own students in other than public school busses.

"3. That the Principal of the Oneida Elementary School make provision for chapel services completely independent of those of the Oneida Institute."

The resolution lauded Oneida Institute for its "great contribution . . . to the spiritual and educational development of the people of the Commonwealth of Kentucky," and asked that the Institute "maintain its place of service and at the same time protect the principle of separation of church and state. . . ."

The resolution was an outgrowth of a POAU-sponsored investigation of Protestant tie-ups with the public school system, launched last fall in conjunction with a suit filed against Roman Catholic violations in five counties (*Church and State*, November, 1953). Professor Denton Coker of Southern Baptist Theological Seminary, Louisville, is conducting the investigation.

The original court action is now being pressed by the Committee.

## Church Seeks to Silence Spain's 'Foreign' Sects

A "true crusade" against the "Protestant danger" has been launched under the leadership of Roman Catholic Bishop Gregorio Modrego y Casaus of Barcelona, Spain, who has established a Diocesan Secretariat for the Preservation of the Faith.

In a pastoral letter, Bishop Modrego said that Protestant "propaganda" was "so intense, tenacious, systematized and provocative" that extraordinary measures had become necessary. Mentioning Seventh-day Adventists and Jehovah's Witnesses in particular, the Bishop declared: "It is time to call a halt. It is one thing for us Catholics to refrain from molesting Protestants on account of their beliefs, but it is another matter when they molest Catholics with the object of separating them from the Church." He also asserted that at least half of all Protestant activity in Barcelona was illegal and largely "carried out by foreigners."

"Law-enforcement" of the kind sought by Bishop Modrego may boomerang, however. The Baptist minister, Aurelio del Campo of Navarres, Spain, recently reported after being released from jail that "surprisingly sympathetic" prison officials had demonstrated their friendship by shining his shoes and cutting his hair, and that on one Sunday four of his jailers had attended Baptist services in Valencia and one had "made a profession of faith" there. The Baptist preacher's wife was visited by many townspeople who expressed their indignation at the jailing of her husband.

### Church and State

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CHURCH AND STATE



## NEWS From Far and Near

◆ "... complete independence, complete separation between church and state, is un-Christian; it is totally at variance with fundamental Christian teachings," declared Father Antonio Pinon of the Philippine Islands in a recent address at the University of the East. In reply, Juan Nabong of the Philippine Federation of Christian Churches said that Father Pinon's view was un-Filipino, unconstitutional and un-Christian.

◆ Reversing a previously announced position, the Syracuse (N. Y.) Board of Education decided by unanimous vote to furnish free bus transportation to children attending the Most Holy Rosary Roman Catholic parochial school. The vote came after a stormy overflow meeting jammed with parents of the parochial school pupils. The board's decision is in line with an order of Deputy State Education Commissioner James E. Allen that it must provide service "equal to transportation furnished to public school children"—an order which the board had originally intended to contest in the courts or to by-pass by withdrawing the school bus from the area.

◆ Although 158 Yugoslav clergymen are in jail, the government wishes to maintain "correct" relations with the churches, Chairman Radosavljevic of the government's Religious Affairs Commission stated recently. He noted that the regime had given financial aid to "loyal" priests' associations and had contributed to ministers' pensions, church repair, and the like—proving once again that "separation of church and state" is frequently not practiced in Yugoslavia and other European countries which supposedly have written the principle into law. (See *Church and State* editorial, "Object Lesson," January, 1953.)

◆ The Modesto (Calif.) public school board is considering a request by Youth for Christ that the group be permitted to lease classrooms for its Bible Club meetings. An opinion from the County Attorney has been requested. Youth for Christ argues that its program combats juvenile delinquency and increases spirituality, but school board member Karl Roth and Special Administrator E. D. Abbott have expressed doubt that admission of religious groups into the public school buildings would be either practical or legal. "The Modesto Bee," while lauding the objectives of Youth for Christ, observed that the California state education code "prohibits the use of public classrooms for religious purposes."

◆ Rebecca Melhado, 13-year-old Dutch war orphan, was recently found by police in a school attached to a Belgian Roman Catholic cloister, although the child is Jewish. Anneke Beekman, another Jewish war orphan, was spirited away from a Roman Catholic institution near Liege, Belgium, just before police arrived. These and other cases are reminiscent of the celebrated Finaly case in France, where two Jewish boys (now in Israel) were "kidnapped" by Roman Catholic zealots in order to prevent their return to Jewish relatives. Both France and Holland have been rocked by the controversies attending these cases.

◆ In Mississippi, a bill (S. 1414) to amend the state's 1948 laws "so as to prohibit the grant or payment of any funds to any institution . . . owned, or operated, or managed, or controlled, in whole or in part by any church or by any religious society . . ." has been passed by the Senate. In Massachusetts, on the other hand, House Bill No. 1629 calls for amending the state constitution so as to allow "grants, appropriations or uses of public money" on behalf of schools, hospitals and "charitable undertakings" of churches and religious organizations. . . . The Gainesville, Ga., Ministerial Association has adopted a resolution condemning proposals for transferring the public schools to private control so as to assure the continuance of segregation. Georgia citizens were asked to remain "calm and watchful should leaders seek to hurry them into any action not in keeping with their profession as followers of Jesus Christ."

## Pave Church Schoolyards With 'Good Intentions'

A prober looking into Jersey City municipal finances recently questioned the legality of using the city street repair department for work on church property, as exemplified by paving jobs performed for five Roman Catholic parochial schoolyards. He was answered with a burst of patriotic oratory and righteous indignation. The following dialogue is taken from the story which appeared in *The Jersey Journal*:

"Larner [the prober]: 'There's nothing in the law that I know of that permits the city to pay for the paving of any private schools, owned by a church or anyone else.'

"Tumulty [a city official]: 'It's part of the city's program for fighting juvenile delinquency. And against Communism.'

"Larner, smiling: 'Now, this is a new way of fighting Communism.'

"Tumulty: 'That's just the difference. In Russia they liquidate all the churches; in Jersey City we help all the churches.'

"Larner: 'That's all right, if it's done legally.'

"Tumulty: 'It's legal, all right. We'll give you a brief that will keep you busy for a year.'

The work in question had been performed during the regime of former Mayor John V. Kenny. Unlike Tumulty, however, the former mayor testified that he had not considered the question of legality and had bypassed the City Commission in authorizing the work, adding: "I'm proud that I did it. We owe a debt of gratitude for service to Jersey City by these parochial schools."

Another question put to city officials by Larner was: "How do you know that the materials were used in the correct amounts?" Joseph L. Gavin, superintendent of the city street cleaning department, replied in horror: "Oh, nobody would steal materials lying on church property! My goodness, nobody around here would do that."

It was also divulged at the hearing that the city recently performed some free "clean-up" work at the Lafayette Reformed Church and the Jewish Community Center. Bernard J. Berry is the present mayor.

Turn to page 7 for story of negotiations currently being conducted to "turn over" the Jersey City Medical Center to Seton Hall (Roman Catholic) University.

## POINTS OF TENSION

Here are a few sources of trouble which concern devout, intelligent and patriotic Americans who cherish the American dream:

- ◆ The efforts of the Roman Catholic leaders, covert and overt, to obtain an ambassador to the Vatican.

- ◆ The bigoted opposition of the Roman Catholic Church to the American public school system.

- ◆ The clerical denunciation of great educators like Dr. James Bryant Conant and Pearl Wanamaker, Washington State schools superintendent, whose only "sin" was affirmation of church-state separation.

- ◆ The banning of books and magazines from schools and libraries; the boycotting of motion pictures on the grounds of heresy or blasphemy.

- ◆ The "bullying" tactics against editors whose only error has been to print the truth.

- ◆ The subtle propaganda that non-Catholics are soft on Communism, and the flamboyant efforts to exploit the fear of Communism for Roman Catholic political purposes.

- ◆ The frequent appeals to Jews and Protestants to join Roman Catholics in a Holy War against Communism, when Jewish and Protestant leaders know that Latin America and Italy are on the verge of going Communist.

- ◆ The national campaign to take advantage of the teacher shortage to put nuns—drawing tax-free salaries—in public schools, thus converting public schools into parochial schools.

- ◆ The Papal pronouncements urging Roman Catholic judges to substitute canon for civil law when the latter conflicts with the former.

- ◆ The use of tax funds to support Catholic-controlled hospitals in which doctors take orders from theologians.

- ◆ And finally, the ever-accelerating attacks against freedom itself. Right in this city (Washington), the then head of a great Jesuit university (Father Hunter Guthrie, S. J.) was quoted in our press with this shocking statement: " 'Liberty' is today's major plague."

—From address by POAU Executive Director Glenn L. Archer in Constitution Hall, January 21, 1954.

## McLoughlin Book Out, Hierarchy Vents Fury

*People's Padre*, the autobiography of Emmett McLoughlin, who left the Roman Catholic Church "to find God in the slums," has just been published by Beacon Press (288 pages + 12 pages of photographs, \$3.95). McLoughlin was one of the principal speakers at POAU's Sixth National Conference on Church and State (*Church and State*, February).

Back in the 1940's, McLoughlin's work among the poor and sick of Phoenix, Ariz., was one of the Church's proudest boasts. *Our Sunday Visitor* observed on October 27, 1940: "The United States Housing Authority in its official publication, *Public Housing*, gives complete credit to the Rev. Emmett McLoughlin . . . of Phoenix, Ariz., for the 506 new USHA homes now being built in that city." And *Catholic World* declared in June,

1947: "The hospital, the mission, the clinics, and the housing developments—are the living monuments to a priest's compassion."

Today, all this is forgotten by the church to which he formerly adhered. Typical of current Roman Catholic treatment of McLoughlin was the Knights of Columbus press release issued in Washington, D. C., on January 21 before the ex-priest's appearance at Constitution Hall under POAU auspices: "With the same charity and pity that they have for all who since the time of Judas have broken their solemn pledge of fidelity to Christ, Catholics will continue to pray that Emmett McLoughlin will return to the observance of the splendid vows he professed as a follower of St. Francis."

The "vows" alluded to here are held by the Roman Catholic Church to be "perpetual." McLoughlin, in the moving first chapter of his book, quotes the archbishop's words on his

ordination day in June, 1933: "Thou art a priest forever, according to the order of Melchizedek." In other words, the Church holds that a man can't leave the priesthood. This brings to mind a recent Associated Press dispatch from Washington, which read in part:

"One of the organizers of the Communist Party in the United States testified in the trial of Ben Gold that he was taught that a member can't resign. . . . Benjamin Gitlow's testimony that a Communist can't resign coincided with that of a previous government witness, John Hladun of Toronto. . . ."

At any rate, anyone interested in the absorbing tale of this remarkable man who *did* resign from the priesthood can do no better than to read his book.

## Morse Hits Public Property Give-Aways

"There are many charitable institutions and character training programs on a national scale which I am willing to help as a private citizen, but I would not donate public property to them," Sen. Wayne Morse declared in the Senate recently. "If we start doing that then how can we ever draw a line between and among the requests of all the denominations of churches, youth movements, charitable institutions, private schools, and an almost endless list of worthwhile religious and human welfare institutions?"

During discussion of a proposed "conveyance of certain lands to the town of Jackson, Wyo." for the benefit of the Boy Scouts (later passed over the senator's objection), Morse cited the "Byrd-Saltontail-Morse formula of 1946" as a "formula that protects the public interest [by calling] for the payment of 50 per cent of the appraised fair-market value in such a case as this one."

The Oregon senator did succeed in having another bill amended to include the formula—this was H. R. 6025, "to authorize the Secretary of the Army to grant a license to the Leahi Visitor Hospital, a non-profit institution, to use certain United States property in the city and county of Honolulu, T. H." Nearly four years ago, Morse blocked a public property give-away which would have benefited a Methodist church in San Francisco ("Church and State Newsletter," September, 1950). Ironically, though, the Oregonian is a sponsor of the Hill "oil-for-education" bill, which contains a loophole through which federal money might be diverted to parochial schools ("Church and State," February).



# ' . . . No Man Shall Be Compelled . . . '

—Thomas Jefferson explains the reasons for separation of church and state

(Reproduced below is the original text of the Virginia Act for Establishing Religious Freedom as contained in a special printing of it ordered by Jefferson—its principal author—while he was in France. In this document, the text appeared in both French and English. Religious freedom, as a matter of fact, "translates" very well, and POAU would like to see it "translated" into FACT in all the countries of the world. In the United States today, lip service is often paid to the principle by persons who deny it in practice. POAU therefore prints the document, with all its cogent reasoning, in full, in the hope that it may contribute to renewed understanding, appreciation and APPLICATION of the principle in contemporary American life. It appears in CHURCH AND STATE as part of a projected series of "Documents of Freedom," a series to be matched by another series called "Documents of Tyranny," of which UNHOLY ALLIANCE: THE FRANCO-VATICAN CONCORDAT [separately printed] was the first.)

## *An ACT for establishing RELIGIOUS FREEDOM, passed in the Assembly of Virginia in the beginning of the year 1786.*

WELL aware that Almighty God hath created the mind free; that all attempts to influence it by temporal punishments or burthens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the Holy Author of our religion, who, being Lord both of body and mind, yet chose not to propagate it by coercions on either, as was in his Almighty power to do; that the impious presumption of legislators and rulers, civil as well as ecclesiastical, who, being themselves but fallible and uninspired men have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavouring to impose them on others, hath established and maintained false religions over the greatest part of the world, and through all time; That to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical; that even the forcing him to support this or that teacher of his own religious persuasion, is depriving him of the comfortable liberty of giving his contributions to the particular pastor whose morals he would make his pattern, and whose powers he feels most persuasive to righteousness, and is withdrawing from the ministry those tem-

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poral rewards, which, proceeding from an approbation of their personal conduct, are an additional incitement to earnest and unremitting labours for the instruction of mankind; that our civil rights have no dependence on our religious opinions, more than on our opinions in physics or geometry; that therefore the prohibiting any citizen as unworthy the public confidence by laying upon him an incapacity of being called to offices of trust and emolument, unless he profess or renounce this or that religious opinion, is depriving him injuriously of those privileges and advantages to which in common with his fellow citizens he has a natural right; that it tends also to corrupt the principles of that very religion it is meant to encourage, by bribing, with a monopoly of worldly honors and emoluments, those who will externally profess and conform to it; that though indeed these are criminal who do not withstand such temptation, yet neither are those innocent who lay the bait in their way; that to suffer the civil magistrate to intrude his powers into the field of opinion, and to restrain the profession or propagation of principles, on supposition of their ill tendency, is a dangerous fallacy, which at once destroys all religious liberty, because he being of course judge of that tendency, will make his opinions the rule of judgment, and approve or condemn the sentiments of others only as they shall square with or differ from his own; that it is time enough for the rightful purposes of civil government for its officers to interfere when

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principles break out into overacts against peace and good order; and finally, that truth is great and will prevail if left to herself, that she is the proper and sufficient antagonist to error, and has nothing to fear from the conflict, unless by human interposition disarmed of her natural weapons, free argument and debate, errors ceasing to be dangerous when it is permitted freely to contradict them.

*Be it therefore enacted by the General Assembly,* That no man shall be compelled to frequent or support any religious worship, place or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.

And though we well know that this Assembly, elected by the people for the ordinary purposes of legislation only, have no power to restrain the acts of succeeding Assemblies, constituted with powers equal to our own, and that therefore to declare this act irrevocable, would be of no effect in law, yet we are free to declare, and do declare, that the rights hereby asserted are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present, or to narrow its operation, such act will be an infringement of natural right.

## Colombia Won't Relax Religious 'Controls'

Colombia will not under any circumstances allow free competition of non-Catholic religions with the country's established religion, Roman Catholicism. This was made clear last month by President Gustavo Rojas Pinilla in a speech in Bogota, in the course of which he endorsed a recent Interior Ministry order forbidding "propaganda" by non-Catholic sects outside their own houses of worship. "... it is just and essential for the preservation of public order," he said, "that the whole nation shall not be opposed in its convictions and that no attempts be made to destroy the religion it professes." Here is another evidence that the Roman Catholic position on religious liberty shifts from country to country, according to whose ox is gored—in Norway, for instance, where Roman Catholicism is curbed in order to protect the Lutheran establishment, Roman Catholic "propagandists" see a gross violation of religious liberty.

## POAU Meetings Set For South, Midwest

As this issue goes to press POAU area meetings are scheduled for the end of this month and the early part of May at Fort Worth, Tex., Louisville, Ky., and Chicago, Ill.

Emmett McLoughlin, Glenn L. Archer and John C. Mayne will speak at the meetings on April 30 and May 1 in the Broadway Baptist Church, Fort Worth; Dr. Foy Valentine of the Christian Relations Division of the Texas Baptist Association was instrumental in arranging the meetings. Archer will address a mass meeting in Memorial Auditorium, Louisville, on May 6, under the auspices of the Kentucky Free Public Schools Committee. McLoughlin, Archer and Mayne will speak at various sessions of a Chicago area meeting on May 7 and 8, which will be climaxed by a mass meeting in Orchestra Hall; May 7 sessions will take place at Faith Presbyterian Church. The Rev. Dr. Thomas Megahay, POAU Chicago chapter president, helped make arrangements.

## Hear, Hear!

*We must be more concerned with souls than with subsidies. . .*—Roman Catholic Bishop Michael J. Ready of Columbus, O., in recent address in New Orleans.

## Sectarian Child Homes Say Pittsburgh's Grants Legal

Grants of county funds for the care of children in sectarian institutions were described as proper by an attorney representing eight Roman Catholic institutions involved in a suit now being heard in Pittsburgh. The institutions were named as defendants along with the County Institutional District in the court action, which has been pending for three years. Dr. Frederick Curtis Fowler, a POAU leader, has cooperated with plaintiffs in the suit.

Immediately at issue are funds amounting to more than \$350,000 and some 50 non-Catholic children who have been placed in Roman Catholic institutions. Juvenile Court Judge Gustav Schram and several county officials were placed on the stand by John A. Metz, Jr., attorney for the plaintiffs, and were questioned closely on their child placement poli-

cies. The six defense attorneys justified county practices by arguing that monetary grants are not to the sectarian institutions as such, but rather to the children with the institutions merely acting as trustees. It was also argued that the institutions are not really sectarian, that the state has an inherent duty to take care of neglected children, that it has not been proved that the monetary grants are appropriations, and that the question of church-state separation is not involved.

Further arguments were scheduled to be heard on April 26 by Judge A. Marshall Thompson.

A resolution commending Dr. Fowler for his "leadership and willingness to assume responsibility" for the progress of the suit has been adopted by the Pittsburgh POAU chapter. The resolution adds that the cause of democratic government "would be enhanced if more of those who should be the leaders were willing to accept the buffets of biased opinion" in standing for separation of church and state.

## Archer on New Speaking Tour

Among speaking engagements recently filled by POAU Executive Director Glenn L. Archer, or scheduled to be filled as this issue goes to press, are: March 2, at St. Andrew's Episcopal Men's Club, College Park, Md.; March 8, reception for Dr. C. Emanuel Carlson, executive director, Baptist Joint Committee on Public Affairs, at National Memorial Baptist Church, Washington, D. C.; March 13, breakfast meeting, Full Gospel Businessmen's Fellowship, Washington, D. C.; March 22 through 26, Virginia Regional Baptist meetings in Culpeper, Richmond, Emporia, Roanoke and Lebanon; March 31, at Franklin Square Club dinner meeting, Philadelphia.

Also, April 4 before Scottish Rite and educational groups in Lincoln, Nebr.; April 8, at mass meeting in First Methodist Church, Covington, Ky.

*For a long time after the Reformation, Protestants and Catholics persecuted each other and Governments made it very difficult for Protestants in Catholic countries and Catholics in Protestant countries to remain loyal citizens. When at last Governments, one by one, adopted the principle of religious toleration, the temptation to disloyalty was removed. . .*—Bertrand Russell in *The New York Times Magazine*, February 14.

## Freedom, Self-Support Inseparably Linked

" . . . we cannot have it both ways. Religious teaching cannot be a private affair when the state seeks to impose regulations which infringe on it indirectly, and a public affair when it comes to taxing citizens of one faith to aid another, or those of no faith to aid all. If these principles seem harsh in prohibiting aid to Catholic education, it must not be forgotten that it is the same Constitution that alone assures Catholics the right to maintain these schools at all when predominant local sentiment would forbid them. *Pierce v. Society of Sisters*, 268 U. S. 510. Nor should I think that those who have done so well without this aid would want to see this separation between Church and State broken down. If the state may aid these religious schools, it may therefore regulate them. . . ."—From dissenting opinion of Justice Robert H. Jackson, *Everson Case*, 1947.

*The concept of freedom held by the Christian Democratic party in Italy is shown in the difficulties met by active non-Catholics. One may call the repression of a small Protestant sect a marginal case, but it is the marginal cases which give the measure of the liberty enjoyed by the citizens.*—Massimo Salvadori, Smith College history professor, in letter to *New York Times*, February 23.



## Roman Catholic School Negotiates For Jersey City Medical Center

New Jersey's want of a state medical school would be obligingly filled by Seton Hall University, a Roman Catholic institution at South Orange, if public officials would agree to turn over to it the facilities of the Jersey City Medical Center, New Jersey newspapers recently reported. The move is being opposed by a specially-formed "Save the Medical Center Committee," headed by the Rev. George G. Hollingshead, executive director of the Good Will Industries of New Jersey, a Methodist Church affiliate.

Hollingshead, who said that he agreed to serve as committee chairman only on the insistence of friends, spoke of court action if the proposed arrangement is actually accepted.

"We oppose the proposed transfer," he explained, "on grounds of public

welfare, illegality and non-sectarianism. We object to any private institution taking over public property supported by taxpayers.

"I earnestly hope that no one will misunderstand our position because Seton Hall happens to be a Catholic institution. Our position would be the same if a private institution like Princeton University were involved."

In agreement was the Rev. Edward F. Dobihal, Jr., social action chairman of the Jersey City Council of Churches and a Methodist minister, who called the proposed transaction "a violation of the principle of church-state separation" and contended that "the only acceptable plan would be for Rutgers, a state university, to enter the negotiations." Dobihal's statement was made in a letter to Mayor Bernard J. Berry and Governor Robert Meyner, but it left Mayor Berry unshaken in his support of the Seton Hall proposal.

"Economy" is one of Mayor Berry's chief arguments for the idea. "I don't think the State of New Jersey should go for a \$25,000,000 bond issue for such a school when we have the plant and facilities right here," he said. The mayor also asserted that many private colleges are conducting medical schools in cooperation with municipal, county and state authorities, and cited as examples Marquette (Roman Catholic) University Medical School, Howard (Baptist) University Medical School of Washington, D. C., and Miami University (a non-church private institution) in Dade County, Fla. Mayor Berry, who

*When faith is in the mouth rather than in the heart, when the solid knowledge of Sacred Scripture fails us, nevertheless by terrorization we drive men to believe what they do not believe, to love what they do not love, to know what they do not know. That which is forced cannot be sincere, and that which is not voluntary cannot please Christ.—Erasmus, as quoted in Roland H. Bainton's HUNTED HERETIC: The Life and Death of Servetus (Beacon Press, Boston, 1953; 270 pp., \$3.75).*

had already been carrying on negotiations with Seton Hall University, said that he would continue to do so.

Msgr. John L. McNulty, Seton Hall president, observed:

"For the past eight years Seton Hall has been running a graduate medical program sponsored by the university and under the auspices of the Essex County Medical Society. . . . The result has been that the university has been contacted by three committees with a suggestion of fostering a medical school."

One of these was a committee from the medical center. Msgr. McNulty declined to identify the other two.

"Jersey City is not subsidizing Seton Hall, but is following the usual pattern of municipalities where hospitals are run in conjunction with the medical school," Msgr. McNulty said later. He spoke as if everything was already settled rather than just in the "talking" stage. Community opposition, however, may yet show he was overconfident.

See story on page 3 concerning free paving work performed for church schools by the Jersey City street repair department.

## National Conference Recording Available

High lights from "Out of Bounds" and "From Priest to Citizen," the Constitution Hall addresses of Glenn L. Archer and Emmett McLoughlin, are now available in a recording suitable for playing on any 3-speed phonograph. With a playing time of 30 minutes (2 records to a set), the recordings give a running narrative of POAU's Sixth National Conference on Church and State, with the Archer and McLoughlin addresses marking the climax. The recordings may be purchased for \$4.00 a set. Use blank below:

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## Spanish Clerics Cite 'Pernicious' Freedoms

"What does freedom of conscience mean?"—"That anyone can profess the religion his conscience dictates, and if none, none."

"Is it a fact that man may choose any religion he likes?"—"No, for he must profess the Roman Apostolic Catholic, which is the only true religion there is."

"Must not the State protect the opinions of all its subjects?"—"Yes, sir, provided they are not condemned by the Church."

"What is freedom of the press?"—"The faculty of printing and publishing without previous censorship every kind of opinion, no matter how absurd or corrupting it may be."

"Should the Government repress such freedom by means of a censorship?"—"Obviously yes."

"Are there other pernicious liberties?"—"Yes, sir: academic freedom, freedom of propaganda, and of meeting."

"Why are they pernicious?"—"Because they are useful for teaching errors, propagating vice, and conspiring against the Church."

—From a commentary on the Spanish catechism by Garcia

Mazo, canon magistral, Valladolid Cathedral, in collaboration with Father Diez Hidalgo, S. J., Madrid, 1949.

## Iran, Egypt Church-State Unions Beset by Strife

Where religion is "established" by government, nobody gains and everybody loses. Recent dispatches from Iran and Egypt show that the system of church-state union prevailing in those countries gives rise to explosive "incidents" and much bitterness.

Christians in Iran, by dint of courageous and persistent effort, have obtained a high court decision freeing a magazine editor on a charge of "slandering" Mohammedanism, the state religion. The court held that the printing of "articles and materials favorable to Christianity . . . is not to be regarded as a crime" because "there is a recognized Christian minority in Iran. . . ." Victim of the "slander" charge and lower court conviction was Sohail Azari, editor of *Nur-i Alam* (*Light of the World*), a Christian monthly. He had been accused by the country's religious censor, an Islamic official, during the Mossadegh regime. Azari is now free, but the government continues to employ a religious censor and no one can practice his religion with any degree of freedom without first obtaining state "recognition."

A similarly limited "victory" has been won by Christians in Egypt, where action to imprison a Greek Catholic official in a child custody case has been dropped. The parents in the case were both Greek Catholics—until the father, who had been denied custody of his little girl by a Greek Catholic ecclesiastical court, announced his "conversion" to Islam, a stratagem which enabled him to have the case re-heard in a Moslem court. The latter decided that "the child should follow the parent who

has the better religion"—and in Egypt this is always the Islamic religion. The Greek Catholic Patriarchal Vicar of Alexandria and the mother of the girl refused to give the child up to the father, and in this the prelate had the backing of the Papal Internuncio to Egypt and all Christian community leaders in the country, who urged him to stand fast even at the risk of a one-year prison sentence. This he did, with the result that the case was dropped. But church-state union is still the law of the land in Egypt.

## Nevada Grapples With Two Church-State Questions

No religious group in Nevada may constitutionally use public school facilities even if rent is paid; children may not be released from public

school study hall classes to attend religious instruction classes. These two rulings, made recently by Nevada Attorney General William Mathews, have given rise to the controversy which usually attends decisions either for or against religious practices under public school auspices.

The Rev. Donald O'Connor, chairman of the inter-faith committee of the Protestant Churches Association and pastor of the Las Vegas First Methodist Church, promised to seek a test of the first opinion, concerning rental of facilities. "I understand the reason for prohibiting sectarian teaching in the school curriculum," he said, "but this law makes no differentiation between a school as an educational function and a school as a building. We want to have the opportunity to make use of the physical school facilities to bring basic non-sectarian religious teachings to more people. We do not want to bring religion into the classroom."

The second opinion came upon request from State Superintendent of Public Instruction Glenn A. Duncan, who was concerned about a practice in effect at Bunkerville and Overton in southern Nevada, under which children whose parents wish it are permitted to leave the public school building for 45 minutes of religious instruction at adjacent Mormon church schools. The population in both areas is predominantly Mormon. Attorney General Mathews ruled that the program is one "made effective in such a manner as to constitute at least an indirect method of injecting sectarian instruction into the public schools in question which could not be accomplished by direct action, and . . . breaches the constitutional wall of separation between church and state."

The practice complained of was first instituted in 1936 and continued until the beginning of World War II. After a temporary lapse it was resumed, and came to Superintendent Duncan's attention early this year, when he sought to persuade parents that it should be halted. Under the attorney general's ruling, the Bunkerville and Overton public schools may lose their state aid funds if they persist in the practice.

Turn to page 5 for the first in a series of "Documents of Freedom" which Church and State is publishing so that Americans may be reminded of their heritage.

## Four Oil-for-Education Bills in House Committee

Four echoes of the Hill oil-for-education bill, S. 2763, are being heard by the House Judiciary Committee—H. R. 8272 by Rep. Homer D. Angell of Oregon, H. R. 8227 by Rep. Carl Elliott of Alabama, H. R. 8078 by Rep. Samuel N. Friedel of Maryland and H. R. 7747 by Rep. Frazier Reams of Ohio. Each of these bills is worded identically with S. 2763, which POAU has criticized for its failure to specify that "public" schools are to receive the aid ("Church and State," September, 1953 and February, 1954). As they stand now, each of these bills would make it possible for denominational schools to receive tax support. Friends of public school education should urge their Congressmen and Senators to have the word "public" inserted in the bills.

### CHURCH AND STATE

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